

No.

200400092



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

NexGen Seed Research, LLC

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR OFFERING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

FESCUE, TALL

'Regiment II'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this seventh day of September, in the year two thousand and seven.

Attest:



Commissioner
Plant Variety Protection Office
Agricultural Marketing Service



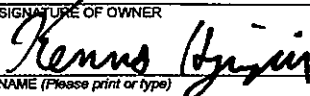
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER NexGen Seed Research, LLC		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME ATF805	3. VARIETY NAME Regiment II
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 33725 Columbus St. SE Albany, OR 97322		5. TELEPHONE (include area code) 541-967-8923	FOR OFFICIAL USE ONLY PVPO NUMBER #200400092 FILING DATE 2/2/2004
		6. FAX (include area code) 541-967-8223	
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Incorporated	8. IF INCORPORATED, GIVE STATE OF INCORPORATION Oregon	9. DATE OF INCORPORATION July 31, 2006	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Kenneth Hignight C/O 33725 Columbus St SE Albany, OR 97322 USA			F E E S R E C E I V E D FILING AND EXAMINATION FEES: \$ 3,652.00 DATE 2/2/2004 CERTIFICATION FEE: \$ 768.00 DATE 7/25/2007
11. TELEPHONE (include area code) (541) 967-8923	12. FAX (include area code) (541) 967-8223	13. E-MAIL	
14. CROP KIND (Common Name) Tall Fescue	16. FAMILY NAME (Botanical) Poaceae	18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Festuca arundinacea	17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23) 21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED 22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)			
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF OWNER 		SIGNATURE OF OWNER	
NAME (Please print or type) Kenneth Hignight		NAME (Please print or type)	
CAPACITY OR TITLE Director of Research	DATE 7-14-07	CAPACITY OR TITLE Director of Research	DATE

(See reverse for instructions and information collection burden statement)

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvpindex.htm>

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Exhibit A:

Origin and Breeding History

'Regiment II'
~~ATF805~~ Tall Fescue
 (ST: 11/7/06)

1. The tall fescue (*Festuca arundinacea*) cultivar ^{'Regiment II'}~~ATF805~~ traces its parentage to the released cultivar Plantation. A plant selection field containing 2,491 plants of Plantation was planted in the fall of 1996. In the spring/summer of 1997 the 2,500 plants were allowed to mature allowing stem rust (*Puccinia graminis*) to reach full infection levels. The single plants were then rated for degree of infection. The plant selection field was flailed in early summer and the plants were rated for recovery, genetic color and crown density. One hundred plants were then selected, moved together in isolation and designated ATF592. Following harvest in 1998 a plant selection field of ATF592 was established containing 1,207 plants. In the spring of 1999 the single plants were rated for dark genetic color, crown density, number of inflorescence, level of endophyte infection (*Neotyphodium coenophialum*) and degree of stem rust (*Puccinia graminis*). Forty-two clones were selected and moved to isolation in the spring before anthesis. The 42 clones were designated ATF708, and harvested in bulk. In the fall of 1999, a single spaced-plant nursery was established of ATF708 containing 2, 200 plants. The single plants were rated for dark genetic color, crown density, number of inflorescence, level of endophyte infection (*Neotyphodium coenophialum*) and degree of stem rust (*Puccinia graminis*). Fifty clones were selected and moved to an isolation block in the spring before anthesis. The 50 clones were harvested in bulk and designated ATF805.

In the fall of 2000 a 2,097 plant breeder seed increase block was established in isolation in Albany, Oregon. ATF805 was also placed in turf trials to evaluate turf performance. The breeder seed block was harvested in bulk in 2001 and designated ATF805 (S0). A morphological nursery was established in the fall of 2001 for Plant Variety Protection (PVP) measurements.

2. Breeder Seed Maintenance:

A breeder seed multiplication was planted in isolation in 2000 in Albany, Oregon. Seed was harvested in bulk in 2001 and is maintained in cold storage. Seed propagation is limited to three generations, one each of foundation, registered, and certified.

3. Stability and Uniformity:

'Regiment II'

(ATF805) has been a stable uniform cultivar over two generations. No off-type or variant plants have been observed during the multiplication or reproduction. During the breeder seed multiplication 0.27% of the plants were removed to improve the uniformity of the population. These types were not observed during the subsequent generations. Turf plots of ATF805 have been uniform and stable.
(ST:11/7/06)

Exhibit A (addendum): Statement of Stability and Uniformity for ATF805 Tall Fescue
(11/7/06)

ATF805 has been a stable uniform cultivar over two generations. No off-type or variant plants have been observed during the multiplication or reproduction. During the breeder seed multiplication 0.27% of the plants were removed to improve the uniformity of the population. The plants that were removed showed less vigor and had poor plant health. It is not known if the lack of vigor was due to environmental factors, genetic factors, or an environment by genetic interaction. These types were not observed during the subsequent generations. Turf plots of ATF805 have been uniform and stable.

Exhibit B:
Novelty Statement of ~~ATF805~~ Tall Fescue
^{'Regiment II'}
~~(BT: 11/7/06)~~

The following summary outlines the distinctive characteristics of ATF805. The novelty of ATF805 is based on the unique combination of these characteristics. ATF805 is most similar to Rebel II, but may be differentiated by using the following criteria:

- 1) ^{'Regiment II'}
~~ATF805~~ has a later maturity (anthesis date) compared to Rebel II (tables 1A, 1B).
~~(BT: 11/7/06)~~
- 2) The genetic color of ATF805 is significantly darker compared to Rebel II (tables 1A, 1B).
- 3) ATF805 has a shorter mature plant height than Rebel II (tables 1A, 1B).
- 4) The panicle length of ATF805 is shorter compared to Rebel II (tables 1A, 1B).
- 5) The flag leaf characteristics length, width, sheath length and internode length are all shorter for ATF805 compared to Rebel II (tables 1A, 1B).
- 6) The leaf blade characteristics length and sheath length are all reduced for ATF805 compared to Rebel II (tables 1A, 1B).
- 7) The panicle length from the ^{lower}~~upper~~ most whorl to the apex is shorter for ATF805 compared to Rebel II (tables 2A, 2B).
~~(BT: 6/11/2007 per applicant's authorization)~~
- 8) ATF805 produces fewer florets per spikelet than Rebel II (tables 2A, 2B).
- 9) The length of the longest branch of the lowest whorl is shorter than Rebel II (tables 2A, 2B, illus. 1).
- 10) The distance between the lower most whorls is reduced compared to Rebel II (tables 2A, 2B, illus. 1).
- 11) ^{'Regiment II'}
~~ATF805~~ has a more semi-erect growth habit compared to Rebel II (tables 3A, 3B).
~~(BT: 11/7/06)~~

REPRODUCE LOCALLY. Include form number and date on all reproductions.

Form Approved - OMB No. 0581-0055

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7830, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter. Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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**U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY PROGRAM
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705**

**EXHIBIT C
(TALL & MEADOW FESCUES)**

**OBJECTIVE DESCRIPTION OF VARIETY
TALL & MEADOW FESCUES
(*Festuca* spp.)**

NAME OF APPLICANT(S) NexGen Seed Research, LLC	TEMPORARY DESIGNATION ATF805	VARIETY NAME Regiment II
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code) 33725 Columbus St. S. E. Albany, Oregon 97322		FOR OFFICIAL USE ONLY PVPO NUMBER #200400092

Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g. 089). Characteristics described, including numerical measurements, should represent those that are typical for the variety. Measured data should be for SPACED PLANTS. Royal Horticultural Society or any recognized color fan may be used to determine plant colors. Characteristics marked with an asterisk * are characteristics which should be recorded.

*** 1. SPECIES: (With comparison varieties, use varieties within the species of the application variety)**

 6 1 = *F. arundinacea* (Tall)

Turf Types

1 = Kentucky 31	2 = Rebel	3 = Olympic	4 = Bonanza	5 = Arid	6 = Rebel II
7 = Shortstop	8 = Silverado	9 = Rebel Jr.	10 = Mini Mustang	11 = Crewcut	12 = Bonsai

Forage Types

20 = Kentucky 31	21 = Martin	22 = Forager	23 = Mozark
24 = Kenhy	25 = AU Triumph	26 = Fawn	27 = Cajun

 2 = *F. pratensis* (Meadow)

30 = Admira	31 = Beaumont	32 = Comtessa	33 = Ensign	34 = Trader
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6

*** 2. CYTOLOGY:**

 42 Chromosome Number

3. ADAPTATION: (0 = Not Tested; 1 = Not Adapted; 2 = Adapted)

 2 Transition Zone 2 West 2 Northeast Other (Specify):

*** 4. MATURITY: (Date First Headed, 10% of Panicle Emergence)**

 5 Maturity Class 1 = Very early () 2 = AU Triumph 3 = Early (Fawn) 4 = K31, Kenhy 5 = Medium (Rebel)

4. MATURITY: (continued)

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6 = Bonanza

7 = Late (Silverado)

8 = ()

9 = Very late

Date Headed 45.75 days after April 1,

Location Albany, Oregon, USA

Days earlier than
Maturity same as 6
Days later than

Comparison Variety

* 5. MATURE PLANT HEIGHT CM: (Average of 100 culms * INTERNODE LENGTH CM:

from crown to top of panicle, if panicle is nodding, straighten)

(First internode subtending the flag leaf)

110.10 cm Height

22.85 cm InternodeLength

8.53 cm Shorter than 6
Height same as
cm Taller than

Comparison Variety

1.73 cm Shorter than 6
Length same as
cm Longer than

Comparison Variety

* HEIGHT AT EAR EMERGENCE CM: (Flag leaf height from crown to flag leaf node)

34.83 cm Height

cm Shorter than
Height same as 6
cm Taller than

Comparison Variety

* 6. GROWTH HABIT: (Mature Plants)

7 1 = Prostrate ()

3 = Semiprostrate ()

5 = Horizontal ()

7 = Semierect (Rebel)

9 = Erect (Mini Mustang)

* 7. RHIZOMES (Psuedo):

mm Length

X 1 = Absent (6)

2 = Rare (Rebel)

3 = Common ()

* 8. LEAF BLADE: (Tiller leaves/ turf color)

* 8 Color: 1 = Light green ()

3 = Medium light green (6)

5 = Green ()

7 = Medium dark green ()

9 = Very dark green ()

5 Specify rating of comparison variety

* 1 Anthocyanin: 1 = Absent ()

9 = Present ()

* 9 Basal Hairs: 1 = Absent ()

9 = Present ()

* 5 Margins: 1 = Smooth ()

5 = Semi-rough ()

9 = Rough ()

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5 = Medium (

* TILLER LEAF WIDTH MM:

5.90 mm Tiller Leaf Width

 mm Narrower than

Width same as 6

 mm Longer than

} Comparison Variety

FLAG LEAF WIDTH MM:

5.15 mm Flag Leaf Width
 0.88 mm Narrower than _6_
 Width same as _____
 ... mm Wider than _____

} Comparison Variety

* 1 Anthocyanin (seedling): 1 = Absent (K31) 9 = Present ()

* 9 Auricle Hairiness: 1 = Absent () 9 = Present (100%)

*_7_ Shape:	1 = Narrow-tapering (45%)	5 = Ovate ()	7 = Oblong (55%)	9 = Other (specify)
*_7_ Type:	1 = Compact (45%)	5 = Intermediate ()	7 = Open (55%)	9 = Other (specify)
*_9_ Orientation:	1 = Nodding ()	9 = Erect ()		
*_1_ Branch Pubescence:	1 = Glabrous (98%)	9 = Pubescent ()		
*_1_ Anther Color (At anthesis):	1 = Yellowish Green	2 = Green	3 = Bluish Green	
	4 = Purplish	5 = Reddish	6= Other (Specify)	
*_1_ Glume Color (At anthesis):	1 = Yellowish Green	2 = Green	3 = Bluish Green	
	4 = Purplish	5 = Reddish	6= Other (Specify)	

_____ cm Shorter than	_____	} Comparison Variety
Length same as	_____	
_____ cm Longer than	_____	

* 11. SEED: (With Lemma & Pelea)

* 3006 mg per 1000 seeds

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 mg Less than
 Weight same as
672 mg More than 6

} Comparison Variety

PALEA: (Keels or Margins) 5 Hairs: 1 = Absent () 5 = Short (Missouri 96) 9 = Long ()
 LEMMA: 7 Hairs: 1 = Absent (Kenhy) 5 = Several () 9 = Many (Missouri 96)

6.73 mm Lemma Length (Mature) 1.51 mm Lemma Width
 mm Shorter than mm Narrower than
 Length same as 6 Width same as 6
 mm Longer than mm Wider than

} Comparison Variety } Comparison Variety

*AWNS: 9 AWNS: 1 = Absent () 9 = Present (Falcon) 100 % Plants with awns
0.88 mm Awn length (Of those present.)

 mm Shorter than
 Length same as 6
 mm Longer than

} Comparison Variety

12. DISEASE, INSECT, AND NEMATODE REACTION: (0= Not Tested 1= Least Resistant 9= Most Resistant)

<u>0</u> Melting-out <i>Drechslera poae</i>	<u>0</u> Blind Seed <i>Gloeotinia temulenta</i>
<u>0</u> Leaf Spot <i>D. siccans</i>	<u>0</u> Dollar Spot <i>Lanzia, Mollerdiscus</i> spp.
<u>0</u> Net Blotch <i>D. dictyoides</i>	<u>0</u> Stem Rust <i>Puccinia graminis</i>
<u>0</u> Brown Patch <i>Rhizoctonia solani</i>	<u>0</u> T. Blight <i>Typhula incarnata</i>
<u>0</u> C. Leaf Spot <i>Cercospora fectuae</i>	<u>0</u> Pythium Blight <i>Pythium</i> spp.
<u>0</u> Pink Snow Mold <i>Gerlachia nivalis</i>	<u>0</u> Powdery Mildew <i>Erysiphe graminis</i>
<u>0</u> Silver Top <i>F. tricinatum, F. roseum</i>	<u>0</u> Crown Rust <i>Puccinia coronata</i>
<u>0</u> Other Disease _____	
<u>0</u> Other Insect _____	
<u>0</u> Other Nematode _____	

13. ENVIRONMENTAL STRESS

5 Drought Stress 1 = Susceptible () 5 = Tolerant (6) 9 = Resistant ()
5 Shade Stress 1 = Susceptible () 5 = Tolerant (6) 9 = Resistant ()

13. ENVIRONMENTAL STRESS: (continued)

5 Winter Stress

1 = Susceptible ()

5 = Tolerant (6)

9 = Resistant ()

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14. GIVE VARIETY OR VARIETIES THAT MOST CLOSELY RESEMBLE THE APPLICATION VARIETY. For the following characteristics, indicate the degree of resemblance with the following scale:

1 = Application variety is less than comparison variety 2 = Same as 3 = More than, better, greater, darker, etc.

Character	Varieties	Rating	Character	Varieties	Rating
Leaf Width	Rebel II	1	Leaf Color	Rebel II	3
Panicle Color	Rebel II	2	Panicle Shape	Rebel II	2
Seed Size	Rebel II	3	Cold Injury	Rebel II	2
Winter Color	Rebel II	3	Heat	Rebel II	2
Disease	Rebel II	3			

* 15. EXPERIMENTAL: Give a brief summary of the experimental design utilized to collect the data used on this form. Cultural conditions, number of plants measured and plant spacing must be specified.

A morphological nursery designated 01PVPFA was established in September 2001, in Albany, Oregon. Experimental design consisted of 20 entries; 4 replications per entry; 20 plants per replication; for a total of 80 plants per entry for tables 1A, 1B. Experimental design consisted of 20 entries; 3 replications per entry; 20 plants per replication; for a total of 60 plants per entry for tables 2 - 4. KY-31, Rebel II, Plantation and Tulsa were used as standards. Plants were established on 2.5 foot centers with a skip row between replications and between entries.

The nursery received 30 pounds of nitrogen per acre rate following establishment and 50 pounds of nitrogen per acre per year in 2002 and 2003. The fertilizer source was 15 - 15 - 15 and was applied as a split application with ½ applied in the spring and ½ in the autumn. The nursery was sprayed twice each spring, 3 weeks between applications, with Tilt (2oz/acre rate), to prevent stem rust. One pound of Karmex per acre rate was applied during the late summer to prevent emergence of volunteer seedlings.

Data was analyzed using analysis of variance for a randomized complete block design. Means were calculated for each replication and then analyzed.

Exhibit D:**Additional Description**

~~'Regiment II'~~
~~ATF805~~ Tall Fescue
 (11/7/06)

ATF805 is an improved turf-type tall fescue. It has a shorter growth habit (tables 1A, 1B) than previously released tall fescue cultivars, such as KY-31, Rebel II, Tulsa and Plantation. ATF805 has a medium maturity with an anthesis date later than KY-31 and Rebel II (tables 1A, 1B). ATF805 exhibits a darker genetic color compared to KY-31, Rebel II, Tulsa, and Plantation (tables 1A, 1B). The panicle length of ATF805 is shorter compared to KY-31, Rebel II and Tulsa (tables 1A, 1B). The flag leaf characteristics; length, sheath length and internode length are all shorter for ATF805 than KY-31, Rebel II, Tulsa and Plantation (tables 1A, 1B). The flag leaf height of ATF805 is reduced compared to Plantation and Tulsa (tables 1A, 1B). The leaf blade characteristics of length and sheath length are shorter for ATF805 than KY-31, Rebel II, Plantation and Tulsa (tables 1A, 1B). The leaf blade height is reduced on ATF805 compared to KY-31 and Plantation (tables 1A, 1B). ATF805 has a shorter panicle length from the lower most whorl to the apex, compared to KY-31, Rebel II, Plantation and Tulsa (tables 2A, 2B). The whorl characteristics length of longest branch and distance between whorls is shorter for ATF805 compared to KY-31, Rebel II, Tulsa and Plantation (tables 2A, 2B, illus. 1). ATF805 has fewer plants with purple pigmentation in the panicles than Rebel II (tables 3A, 3B). ATF805 has a more erect growth habit compared to KY-31 and Tulsa, but less than Rebel II and Plantation (tables 3A, 3B). The purple pigmentation in the panicle is more frequent in ATF805 compared to KY-31, but less than Rebel II, Plantation and Tulsa (tables 3A, 3B). The presence of only one branch on the lower whorl is more frequent in ATF805 than KY-31, Rebel II and Plantation (tables 3A, 3B). ATF805 produces fewer plants with pubescence of the panicle branch than KY-31 and Plantation (tables 3A, 3B). ATF805 expresses fewer plants with dark pigmentation at the nodes compared to KY-31 (tables 4A, 4B). ATF805 has a higher seed weight per 1,000 seeds compared to KY-31, Rebel II, Plantation and Tulsa (tables 4A, 4B). ATF805 has a higher frequency of plants with semi- rough leaf blade margins compared to KY-31 and Plantation (tables 4A, 4B).

Table 1A

2002 Morphological Data

Cultivar	Genetic Color (Scale: 1-9 1 = Darkest green) (Scale 10-12 per request)	Heading Date (days after April 1)	Anthesis Date (days after April 1)	Mature Plant Height (cm)	Plant Width (cm)	Panicle Length (cm)	Flag Leaf Length (cm)	Flag Leaf Width (mm)	Flag Leaf Height (cm)	Flag Leaf Sheath Length (cm)	Flag Leaf Internode Length (cm)	Leaf Blade Length (cm)	Leaf Blade Width (mm)	Leaf Blade Height (cm)	Leaf Sheath Length (cm)
Regiment II															
ATF805	6.13	45.75	69.75	73.20	8.75	58.40	28.48	5.78	14.68	18.38	13.38	23.53	8.03	10.95	9.60
SBL	5.71	36.25	64.75	95.18	11.03	73.18	35.28	6.70	21.93	21.83	17.25	30.05	8.85	16.48	11.73
SBM	5.58	39.00	65.25	88.85	11.00	67.83	32.45	6.03	21.05	20.85	17.35	35.08	8.60	15.40	11.63
RB3	6.21	38.25	65.00	86.90	10.83	69.03	32.35	6.98	17.88	20.33	15.15	27.65	9.23	13.90	11.03
RB2	5.90	35.50	64.50	89.40	10.40	68.85	33.45	6.78	19.45	21.00	16.68	28.25	8.93	15.03	11.25
ATF799	5.89	43.75	66.75	83.28	10.45	62.83	29.08	6.00	20.38	19.05	17.10	26.08	8.38	14.13	10.85
ATF800	5.61	42.50	67.25	93.05	10.78	68.63	33.65	6.00	24.75	22.25	20.48	29.40	8.30	17.05	12.10
ATF802	5.66	40.00	65.75	91.48	11.13	72.38	34.15	5.98	18.75	22.18	16.48	27.85	8.70	13.58	10.98
ATF704S1	5.43	38.00	65.75	97.10	11.18	70.98	35.03	6.38	25.05	22.70	20.35	29.88	8.38	17.63	12.33
ATF803	5.59	39.50	66.75	92.48	10.60	72.73	36.48	7.45	19.63	22.10	16.65	31.48	9.35	15.10	11.83
KY-31	3.86	35.25	65.25	122.95	11.23	83.73	48.43	7.68	37.30	32.63	26.38	44.10	11.05	31.05	18.65
Rebel II	5.04	41.25	66.50	88.18	10.60	68.45	38.00	7.58	19.35	23.10	16.70	32.75	9.85	15.63	12.48
Plantation	5.69	40.25	66.00	89.23	11.03	68.00	35.28	6.73	20.95	22.15	17.13	31.20	9.25	16.35	12.55
Tulsa	5.09	40.50	66.50	97.98	11.00	72.35	37.35	6.48	24.53	23.40	19.78	32.40	8.63	18.78	13.00
018	6.06	40.50	66.00	88.15	11.15	68.08	33.43	6.73	20.28	20.98	16.90	28.40	8.80	14.85	11.45
LSD (.05)	0.21	2.01	1.42	5.38	0.90	4.02	2.49	0.63	2.47	1.31	1.56	3.65	0.60	1.94	0.94
CV	3.31	4.32	1.82	4.89	7.02	4.83	5.97	8.27	9.33	4.96	7.18	10.05	5.81	9.83	6.54

■ Cultivar under evaluation

■ Significant difference over two years one location.

■ Significant difference over one year one location.

Measurements taken in Albany, Oregon

4 reps; 20 plants/rep = 80 data points

200400092

Table 1B

2003 Morphological Data

ST: 11/7/06

Cultivar	Genetic Color (Scale 1-9) 9 = Darkest (ST: 6/11/06) Per request	Heading Date (days after April 1)	Anthesis Date (days after April 1)	Mature Plant Height (cm)	Plant Width (cm)	Panicle Length (cm)	Flag Leaf Length (cm)	Flag Leaf Width (mm)	Flag Leaf Height (cm)	Flag Leaf Sheath Length (cm)	Flag Leaf Internode Length (cm)	Leaf Blade Length (cm)	Leaf Blade Width (mm)	Leaf Blade Height (cm)	Leaf Sheath Length (cm)
Regiment II															
ATF805	6.34	58.50	60.83	110.10	25.75	75.38	42.53	5.15	34.83	25.80	22.85	39.85	5.90	26.30	16.43
SBL	5.58	51.25	56.65	115.93	28.25	77.35	46.50	5.10	37.90	28.90	24.98	42.50	5.85	31.43	17.50
SBM	5.64	57.25	59.65	111.50	27.25	71.43	43.60	5.10	38.95	26.53	24.98	40.60	6.15	31.45	16.68
RB3	5.96	55.50	58.35	115.60	27.75	76.43	44.40	5.38	38.13	27.10	24.75	43.63	6.05	29.58	17.10
RB2	6.06	52.00	56.48	113.75	28.00	73.23	44.68	5.00	39.88	26.63	24.70	41.95	5.38	30.45	17.50
ATF799	5.90	60.75	61.98	107.50	27.25	67.68	38.88	4.40	38.75	23.28	25.20	38.25	5.18	28.65	16.28
ATF800	5.76	58.50	59.83	118.05	28.50	76.53	42.60	4.85	39.60	27.40	27.35	41.48	5.40	28.30	17.78
ATF802	5.71	58.50	60.60	120.35	27.50	80.30	48.10	5.15	38.65	29.05	25.75	42.88	5.88	29.43	17.73
ATF704S1	5.43	51.25	56.50	118.13	27.50	76.93	45.05	5.10	39.85	27.65	26.45	40.13	5.70	28.73	17.38
ATF803	5.53	58.00	60.30	120.65	27.00	78.18	46.43	5.25	42.98	28.08	24.80	45.03	6.00	33.50	18.43
KY-31	2.99	46.00	54.28	145.90	27.50	89.48	59.13	7.18	37.30	37.18	28.05	61.03	9.05	51.40	24.68
Rebel II	5.11	57.75	59.08	118.63	27.75	82.08	50.90	6.03	36.43	28.98	24.58	48.60	6.33	28.58	18.98
Plantation	5.71	57.75	60.28	118.68	27.75	77.60	46.80	5.68	40.40	27.85	24.75	44.43	6.78	31.53	18.33
Tulsa	5.10	57.25	59.98	118.65	27.00	79.68	47.78	5.18	39.13	28.55	25.48	43.20	5.45	29.28	17.85
018	6.10	59.50	60.73	108.98	27.00	70.58	44.63	5.25	38.13	26.70	23.83	42.80	6.25	29.10	16.83
LSD (.05)	0.25	2.47	1.15	4.51	1.77	3.91	2.13	0.78	3.57	1.44	1.16	2.42	0.92	3.55	1.06
CV	3.90	3.74	1.65	3.25	5.47	4.33	3.90	12.72	7.51	4.34	3.86	4.67	12.97	9.61	4.99

■ Cultivar under evaluation

■ Significant difference over two years one location.

■ Significant difference over one year one location.

Measurements taken in Albany, Oregon

4 reps; 20 plants/rep = 80 data points

200400092

Table 2A

2002 Laboratory Morphological Data

Cultivar	Lemma Length (mm)	Lemma Width (mm)	Lemma Awn Length (mm)	Palea Length (mm)	Palea Width (mm)	Glume Length (mm)	Length of Panicle from Lower Most Whorl to Tip (cm)	Spikelets per Panicle	Florets per Spikelet	Spikelet Length (mm)	Length of Longest Whorl (mm)	Distance Between Lower Most Whorls (mm)	Number of Spikelets on the Longest Whorl
<i>Regiment II</i>													
ATF805	6.73	1.51	0.88	6.37	1.11	5.29	16.93	80.67	8.10	13.50	71.93	41.53	13.97
SBL	6.85	1.46	1.06	6.45	1.15	5.36	20.53	80.00	7.10	13.00	89.57	51.30	14.83
SBM	6.83	1.55	1.08	6.41	1.17	5.08	19.60	80.00	7.20	13.07	86.10	47.60	14.50
RB3	6.80	1.55	0.91	6.32	1.19	5.15	18.47	76.67	7.53	13.17	76.40	46.43	13.50
RB2	6.46	1.56	0.86	6.08	1.22	5.12	17.87	76.67	7.17	12.47	76.33	45.23	12.83
ATF799	6.55	1.47	0.84	6.19	1.15	5.00	17.23	72.33	7.50	12.87	74.47	42.80	13.80
ATF800	7.17	1.46	0.94	6.65	1.13	4.98	18.77	70.00	7.33	13.20	80.07	46.87	11.73
ATF802	7.00	1.55	0.83	6.34	1.21	5.31	20.60	82.67	8.20	13.50	92.07	52.87	15.27
ATF704S1	7.14	1.46	0.94	6.61	1.14	5.57	19.07	73.67	7.47	13.13	79.70	47.17	12.10
ATF803	6.77	1.49	0.82	6.28	1.10	5.31	21.73	85.33	7.67	13.07	101.13	54.20	13.80
KY-31	7.74	1.62	0.98	7.25	1.26	5.77	29.33	116.33	8.07	15.13	111.17	67.90	16.33
Rebel II	6.77	1.45	1.07	6.35	1.09	5.35	21.67	98.00	6.90	12.53	91.77	53.83	14.57
Plantation	6.72	1.45	0.80	6.33	1.14	4.83	20.43	97.33	7.17	12.63	87.10	48.40	15.50
Tulsa	6.72	1.48	0.78	6.25	1.14	4.87	21.60	93.67	7.27	12.50	89.80	50.77	13.87
018	7.11	1.49	0.92	6.45	1.12	5.00	20.43	85.00	7.63	13.53	86.83	48.17	16.30
LSD(.05)	0.31	0.08	0.17	0.23	0.08	0.34	2.31	11.18	0.85	0.91	13.15	5.49	2.95
CV	3.25	3.94	12.97	2.64	5.23	4.83	8.32	9.84	8.43	5.08	11.21	8.11	15.44

■ Cultivar under evaluation

■ Significant difference over two years one location.

■ Significant difference over one year one location.

Measurements taken in Albany, Oregon

3 reps; 20 plants/rep = 60 data points

200400092

Table 2B

2003 Laboratory Morphological Data

Cultivar	Lemma Length (mm)	Lemma Width (mm)	Lemma Awn Length (mm)	Palea Length (mm)	Palea Width (mm)	Glume Length (mm)	Length of Panicle from Lower Most Whorl to Tip (cm)	Spikelets per Panicle	Florets per Spikelet	Spikelet Length (mm)	Length of Longest Whorl (mm)	Distance Between Lower Most Whorls (mm)	Number of Spikelets on the Longest Whorl
<i>Regiment II</i>													
ATF805	6.06	1.42	1.55	6.08	1.09	4.79	24.57	103.00	5.53	10.50	85.17	58.53	16.57
SBL	7.06	1.49	1.47	6.39	1.20	5.17	26.13	92.00	5.63	11.43	101.40	67.87	16.83
SBM	7.15	1.48	1.51	6.53	1.18	4.98	25.67	89.67	5.57	11.47	108.50	63.93	17.07
RB3	7.16	1.45	1.48	6.50	1.22	5.07	26.23	92.67	5.27	11.27	100.10	66.67	17.93
RB2	6.88	1.43	1.21	6.22	1.19	4.95	25.87	99.33	5.13	10.73	104.77	63.30	19.57
ATF799	6.52	1.46	1.15	6.10	1.17	4.72	22.50	85.33	5.23	10.50	89.47	55.83	15.93
ATF800	6.30	1.42	1.15	6.16	1.18	4.44	23.10	77.67	4.87	10.43	81.70	57.10	11.37
ATF802	6.47	1.37	1.37	6.07	1.17	4.80	27.43	92.33	5.60	10.53	111.00	68.57	18.27
ATF704S1	6.92	1.57	1.55	6.59	1.29	5.17	26.37	82.67	5.60	11.40	104.23	68.03	15.40
ATF803	6.20	1.60	1.35	6.18	1.20	4.98	28.83	97.67	4.97	10.47	126.50	69.93	17.30
KY-31	7.28	1.55	1.59	7.13	1.32	5.41	34.67	122.67	6.23	13.23	123.40	80.83	17.93
Rebel II	6.75	1.47	1.80	6.21	1.18	5.00	29.47	108.00	4.53	10.63	117.07	71.40	18.47
Plantation	6.41	1.45	1.31	6.14	1.19	4.40	27.30	105.33	4.80	10.13	106.87	65.43	17.37
Tulsa	6.33	1.42	1.39	5.97	1.24	4.51	27.67	100.67	4.77	9.87	101.97	68.40	16.97
018	6.45	1.41	1.52	6.08	1.15	4.51	25.93	92.33	5.37	10.60	96.53	63.23	16.90
LSD(.05)	0.70	0.10	0.27	0.31	0.10	0.37	1.81	8.48	0.47	0.79	11.74	5.46	2.80
CV	7.74	4.86	13.52	3.64	6.31	5.60	4.93	6.51	6.53	5.28	8.27	6.05	12.18

■ Cultivar under evaluation

■ Significant difference over two years one location.

■ Significant difference over one year one location.

Measurements taken in Albany, Oregon

3 reps; 20 plants/rep = 60 data points

200400092

Panicle Type Inflorescence

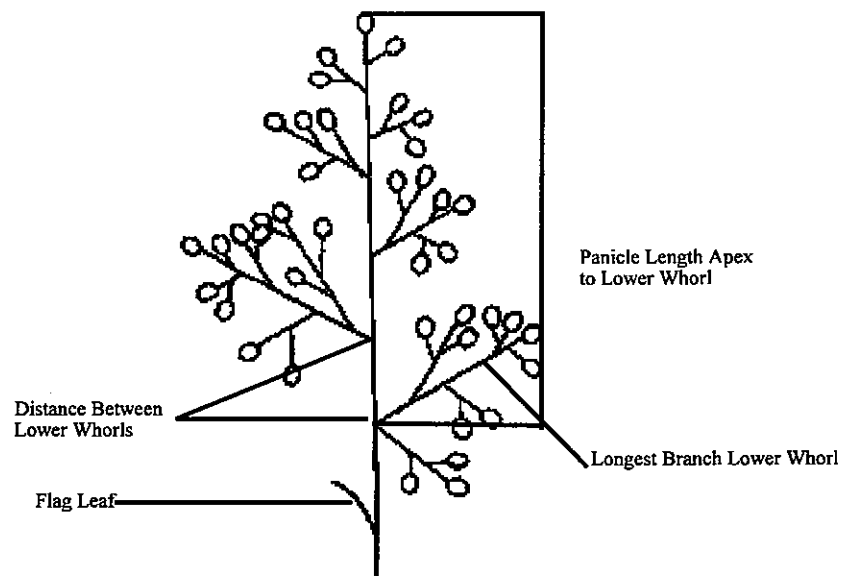


Illustration 1.

Table 3A

2002 Additional Morphological Measurements of the Panicle

Cultivar	Growth Habit at Anthesis % Semi- Prostrate	Growth Habit at Anthesis % Horizontal	Growth Habit at Anthesis % Semi- Erect	Growth Habit at Anthesis % Erect	Anther Color % Purple	Panicle Color % Purple	Lemma Awn % Present	Glume Color % Purple	Panicle Orientation % Nodding	Panicle Shape % Oblong	Panicle Type % Open	Panicle Branch Lower Whorl =1	Panicle Branch Lower Whorl =2	Panicle Branch Lower Whorl >3	Panicle Branch Pubescence % Present
Regiment II	0	20	62	18	3	23	100	2	0	27	27	15	82	3	3
ATF805>	0	20	45	35	5	20	100	2	3	60	60	30	65	5	3
SBL	0	2	56	42	5	27	100	3	2	65	65	20	75	5	8
SBM	0	28	42	30	2	18	100	0	0	72	72	30	67	3	7
RB3	0	12	55	33	10	20	100	2	0	67	67	20	75	5	2
RB2	0	17	58	25	10	43	100	0	0	38	38	40	55	5	12
ATF799	0	32	53	15	3	45	100	5	0	43	43	18	78	2	0
ATF800	0	25	58	14	7	50	100	3	0	53	53	23	75	2	2
ATF802	3	22	71	7	3	20	100	3	0	47	47	23	75	2	5
ATF704S1	0	50	45	3	0	32	100	2	5	30	30	8	83	9	3
ATF803	2	62	28	0	3	7	100	0	15	23	23	8	87	5	18
KY-31	10	17	48	32	3	40	100	0	0	48	48	9	80	11	3
Rebel II	3	8	64	28	5	35	100	0	0	50	50	13	85	2	12
Plantation	0	34	57	7	3	32	100	3	3	45	45	10	88	2	2
Tulsa	2	5	57	38	5	25	100	0	0	45	45	40	60	0	7
018	0														

■ Cultivar under evaluation

Measurements taken in Albany, Oregon

3 reps; 20 plants/rep = 60 data points

200400092

Table 3B

2003 Additional Morphological Measurements of the Panicle

(ST: 11/4/06)

Cultivar	Growth Habit at Anthesis % Semi- Prostrate	Growth Habit at Anthesis % Horizontal	Growth Habit at Anthesis % Semi- Erect	Growth Habit at Anthesis % Erect	Anther Color % Purple	Panicle Color % Purple	Lemma Awn % Present	Glume Color % Purple	Panicle Orientation % Nodding	Panicle Shape % Oblong	Panicle Type % Open	Panicle Branch Lower Whorl =1	Panicle Branch Lower Whorl =2	Panicle Branch Lower Whorl >3	Panicle Branch Pubescence % Present
Regiment II	0	17	67	16	0	5	100	0	0	55	55	31	59	10	2
ATF8057	0	22	45	33	2	12	100	3	0	65	65	34	59	7	4
SBL	0	4	55	41	2	7	100	2	0	62	62	24	68	9	2
SBM	0	25	47	28	2	3	100	0	0	66	66	39	49	13	0
RB3	0	11	57	32	2	3	100	0	0	72	72	54	44	2	1
RB2	0	33	54	13	3	12	100	3	0	66	66	36	54	10	1
ATF799	0	41	52	7	18	0	100	3	0	70	70	21	68	11	5
ATF800	5	36	53	6	2	17	100	8	0	77	77	38	60	3	1
ATF802	0	25	70	5	2	5	100	5	0	81	81	25	71	4	2
ATF704S1	6	49	43	2	2	12	100	5	0	70	70	24	71	6	1
ATF803	12	55	33	0	0	0	100	7	0	100	100	15	75	10	5
KY-31	3	20	42	35	3	8	100	0	0	80	80	19	64	18	0
Rebel II	0	3	72	25	0	13	100	3	2	72	72	15	76	9	6
Plantation	4	33	60	3	3	10	100	0	0	80	80	35	59	6	1
Tulsa	0	2	75	23	0	3	100	0	0	69	69	33	59	9	0
O18															

■ Cultivar under evaluation

Measurements taken in Albany, Oregon

3 reps; 20 plants/rep = 60 data points

200400092

2007 Additional Morphological Measurements
2007:6/11/07

Table 4A

Cultivar	Anthocyanin Present in the Leaf Blade % Purple	Leaf Blade Margin Roughness to the Touch % Smooth	Leaf Blade Margin Roughness to the Touch % Semi-Rough	Leaf Blade Margin Roughness to the Touch % Rough	Leaf Blade Margin Hairs % Present	Leaf Sheath Auricle Hairs % Present	Rhizomes % Present	Lemma Hairs % Present	Palear Hairs % Present	Node Color % Distinct	Seed Weight (mg/1,000 seeds)
Regiment II											
ATF805	0	10	12	78	100	95	0	100	100	12	3006
SBL	0	35	33	32	97	93	0	100	100	15	2578
SBM	0	35	23	42	98	98	0	95	100	2	3194
RB3	0	18	35	47	100	97	0	98	100	5	3977
RB2	0	28	22	48	98	95	0	97	100	3	2103
ATF799	0	25	22	53	100	97	0	100	100	7	2350
ATF800	0	7	22	71	100	100	0	100	100	32	3080
ATF802	0	33	24	43	100	98	0	98	100	30	2638
ATF704S1	0	30	32	38	100	97	0	100	100	17	2562
ATF803	0	15	18	67	100	97	0	100	100	28	3195
KY-31	0	58	22	18	100	95	0	100	100	30	2924
Rebel II	0	12	15	73	100	98	0	100	100	10	2334
Plantation	0	15	25	60	100	100	0	100	100	3	2458
Tulsa	0	47	16	37	100	98	0	100	100	15	2347
018	0	13	12	75	100	100	0	100	100	5	2338

■ Cultivar under evaluation
Measurements taken in Albany, Oregon
3 reps; 20 plants/rep = 60 data points

200400092

Table 4B

2003 Additional Morphological Measurements

Cultivar	Anthocyanin Present in the Leaf Blade % Purple	Leaf Blade Margin Roughness to the Touch % Smooth	Leaf Blade Margin Roughness to the Touch % Semi-Rough	Leaf Blade Margin Roughness to the Touch % Rough	Leaf Blade Margin Hairs % Present	Leaf Sheath Auricle Hairs % Present	Rhizomes % Present	Lemma Hairs % Present	Palea Hairs % Present	Node Color % Distinct	Seed Weight (mg/1,000 seeds)
Regiment II	0	82	15	3	96	90	0	99	100	0	3070
ATF8052	0	82	15	3	96	90	0	99	100	0	3070
SBL	0	85	15	0	99	90	0	100	100	10	2580
SBM	0	78	17	5	100	92	0	100	100	5	3190
RB3	0	78	20	2	95	92	0	99	100	2	3973
RB2	0	88	12	0	96	97	0	100	100	3	2109
ATF799	0	72	18	10	92	91	0	100	100	5	2345
ATF800	0	55	43	2	92	90	0	100	100	5	3114
ATF802	0	83	17	0	99	90	0	100	100	18	2702
ATF704S1	0	77	18	5	95	92	0	99	100	20	2564
ATF803	0	70	23	7	99	95	0	100	100	10	3139
KY-31	0	55	37	8	96	94	0	100	100	32	2937
Rebel II	0	85	12	3	97	91	0	99	100	5	2310
Plantation	0	72	20	8	97	92	0	100	100	2	2463
Tulsa	0	90	7	3	97	96	0	100	100	8	2352
018	0	77	22	2	96	91	0	99	100	2	2345

■ Cultivar under evaluation
 Measurements taken in Albany, Oregon
 3 reps; 20 plants/rep = 60 data points

200400092

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) NexGen Seed Research, LLC	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER ATF805	3. VARIETY NAME Regiment II
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 33725 Columbus St. S. E. Albany, OR 97322	5. TELEPHONE (Include area code) (541) 967-8923	6. FAX (include area code) (541) 967-8223
7. PVPO NUMBER #200400092		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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